

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TAMMY DOOLEY,

Plaintiff,

v.

KILOLO KIJAKAZI, Acting Commissioner
of Social Security,

Defendant.

8:22CV334

ORDER

This matter is before the Court on an Unopposed Motion to Reverse and Remand pursuant to Sentence Four of 42 U.S.C. § 405(g) (Filing No. 18) filed by defendant Kilolo Kijakazi, Acting Commissioner of Social Security (“Commissioner”). The Commissioner asks the Court to (1) reverse her final decision denying plaintiff Tammy Dooley’s (“Dooley”) claim for disability benefits under Title II of the Social Security Act (“Act”), 42 U.S.C. § 401 *et seq.*, and (2) remand this case to allow the Commissioner to conduct further administrative proceedings pursuant to sentence four of section 205(g) of the Act, 42 U.S.C. § 405(g),¹ and *Melkonyan v. Sullivan*, 501 U.S. 89, 98 (1991). The Commissioner’s request aligns with Dooley’s alternative prayer for relief (Filing No. 12).

After careful review, the Court finds the Commissioner’s motion should be granted. Accordingly,

IT IS ORDERED:

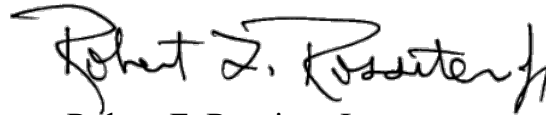
1. The Commissioner’s Unopposed Motion to Reverse and Remand pursuant to Sentence Four of 42 U.S.C. § 405(g) (Filing No. 18) is granted.

¹Sentence four authorizes the Court “to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” *Id.*

2. The Commissioner's final decision is reversed, and this case is remanded for further administrative proceedings.
3. Dooley's pending Motion for an Order Reversing the Commissioner's Decision (Filing. No. 12) is denied.
4. A separate judgment will issue.

Dated this 27th day of February 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge